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Filing date: **05/06/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91184456
Party	Plaintiff L'Oreal USA, Inc.
Correspondence Address	Robert L. Sherman Paul, Hastings, Janofsky & Walker LLP 75 East 55th Street New York, NY 10022 UNITED STATES rls@paulhastings.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Natalie G. Furman
Filer's e-mail	rls@paulhastings.com, nataliefurman@paulhastings.com
Signature	/ngf/
Date	05/06/2010
Attachments	L'OREAL PARIS - Motion on Consent for Extension of Trial Period (Opposition No. 91184456).pdf ( 6 pages )(347598 bytes )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Application Serial No. 76/596,736  
Published in the Official Gazette on May 6, 2008  
Mark: L'OREAL PARIS

L'ORÉAL S.A. and L'ORÉAL USA, INC.,

Opposer,

v.

ROBERT VICTOR MARCON,

Applicant.

Opposition No. 91184456

**MOTION ON CONSENT  
FOR AN EXTENSION OF THE TRIAL PERIODS**

Pursuant to Fed. R. Civ. P. 6(b) and 37 C.F.R. 2.121, L'Oréal S.A. and L'Oréal USA, Inc. ("Opposer"), having obtained the express consent of Robert Victor Marcon ("Applicant") by telephone on May 6, 2010, hereby moves the Trademark Trial and Appeal Board ("Board") for a thirty (30) day extension to the trial periods on the grounds that Opposer is unable to complete testimony during the assigned period.

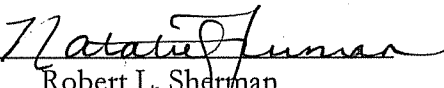
Opposer is unable to file the automated form for consented motions through the Electronic System for Trademark Trials and Appeals (ESTTA) because, to Opposer's knowledge, Applicant does not have an e-mail address, the inclusion of which is required for such form. Attached hereto as Exhibit A is a printout of the automated form, setting forth the revised schedule as generated by ESTTA. Opposer respectfully requests that the Board grant its Motion on Consent for an

Extension of the Trial Periods and adopt the schedule included in the attached Exhibit A.

Dated: May 6, 2010

Respectfully submitted,

PAUL, HASTINGS, JANOFSKY  
& WALKER LLP

By:   
Robert L. Sherman  
Natalie G. Furman

75 E. 55th Street  
New York, New York 10022  
212-318-6000

Attorneys for Opposer

## **EXHIBIT A**



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ESTTA v.3.0

PTO-2151 (Exp. 01/31/2011)

OMB No. 0651-0040 (Exp. 01/31/2011)

## Signature

### Required input in the field named 'Other Party's e-mail address' is missing

The request must be signed by the filer. The request will not be "signed" in the sense of a traditional paper document. To sign the request, the signer must enter any combination of printable characters that have been adopted to serve the function of a signature, preceded and followed by the forward slash(/) symbol. Acceptable "signatures" could include: /John doe/; /jd/; and /123-4567/.

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

<b>Proceeding.</b>	91184456
<b>Applicant</b>	Plaintiff L'Oreal USA, Inc.
<b>Other Party</b>	Defendant Marcon, Robert Victor

### Motion for an Extension of Answer or Discovery or Trial Periods With Consent

The Close of Plaintiff's Trial Period is currently set to close on 05/10/2010. L'Oreal USA, Inc. requests that such date be extended for 30 days, or until 06/09/2010, and that all subsequent dates be reset accordingly.

<b>Time to Answer :</b>	CLOSED
<b>Deadline for Discovery Conference :</b>	CLOSED
<b>Discovery Opens :</b>	CLOSED
<b>Initial Disclosures Due :</b>	CLOSED
<b>Expert Disclosure Due :</b>	CLOSED
<b>Discovery Closes :</b>	CLOSED
<b>Plaintiff's Pretrial Disclosures :</b>	04/25/2010
<b>Plaintiff's 30-day Trial Period Ends :</b>	06/09/2010
<b>Defendant's Pretrial Disclosures :</b>	06/24/2010
<b>Defendant's 30-day Trial Period Ends :</b>	08/08/2010
<b>Plaintiff's Rebuttal Disclosures :</b>	08/23/2010
<b>Plaintiff's 15-day Rebuttal Period Ends :</b>	09/22/2010

The grounds for this request are as follows:

- *Parties are unable to complete discovery/testimony during assigned period*

L'Oreal USA, Inc. has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

~~L'Oreal USA, Inc. has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.~~

### Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

### Filer Information

Fill in the information below. You will receive an e-mail confirmation of your filing within 24 hours. Your paper will be considered by the Board in due course.

<b>Filer's Signature *</b>	/ngf/
<b>Filer's Name *</b>	Natalie G. Furman
<b>Filer's E-Mail Address *</b>	rls@paulhastings.com, nataliefurman@pau Note: Multiple e-mail addresses may be provided separated by commas
<b>Other Party's E-Mail Address *</b>	 Note: Multiple e-mail addresses may be provided separated by commas
<b>Date</b>	05/06/2010

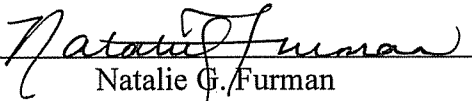
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05/06/2010 04:44 PM EDT

**CERTIFICATE OF SERVICE**

I hereby certify that on May 6, 2010, a true and complete copy of the foregoing  
**MOTION ON CONSENT FOR AN EXTENSION OF THE TRIAL PERIODS** has been  
served on Robert Victor Marcon by mailing said copy, via First Class Mail to:

Robert Victor Marcon  
3471 Sinnicks Avenue  
Niagara Falls, Ontario L2J 2G6  
CANADA

  
Natalie G. Furman